

FILED

U.S. DISTRICT COURT
FILED

Barbara K. Polich (#2620)
ANTCZAK POLICH LAW LLC
PO Box 58225
Salt Lake City, Utah 84158
Telephone: (801) 521-4409
bpolich@antczaklaw.com

2009 DEC 17 P 7:45

DISTRICT OF UTAH
BY: BENNETT JEFFERSON

Attorney for Plaintiff

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

**FATPIPE NETWORKS INDIA LIMITED,
an India corporation,**

Plaintiff,

v.

**XROADS NETWORKS, INC., a Delaware
corporation,**

Defendants.

**PLAINTIFF FATPIPE'S RULE 56(f)
MOTION IN RESPONSE TO
DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT**

Case No.: 2:09-cv-186 TC

**Honorable Tena Campbell
Magistrate Judge David Nuffer**

Plaintiff FatPipe Networks India Limited ("Plaintiff") respectfully moves this Court for an order requiring Defendant XRoads Networks, Inc. ("Defendant") to grant its Rule 56(f) Motion filed in response to Defendant's Motion for Summary Judgment, denying Defendant's Motion and thus allowing FatPipe to complete the discovery necessary to prepare its opposition affidavits.

This Motion is supported by an accompanying Memorandum and Declaration of Joshua Harr.

DATED this 17th day of December 2009.



Barbara K. Polich, Esq.
ANTCZAK POLICH LAW LLC

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **PLAINTIFF
FATPIPE'S RULE 56(f) MOTION IN RESPONSE TO DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT** was served to the following this 17th day of December 2009, in the manner set forth below:

[] Hand Delivery

[X] U.S. Mail, postage prepaid

[] Federal Express

[] Certified Mail, Receipt No. _____, return receipt requested

[] CM / ECF Filing

Jan P. Weir
Douglas Q. Hahn
STRADLING YOCCA CARLSON & RAUTH
660 Newport Center Dr, Ste 1600
Newport Beach, CA 92660-6422

John A. Pearce
JONES WALDO HOLBROOK & McDONOUGH
170 S Main Street, Ste 1500
Salt Lake City, UT 84101

Attorneys for Defendant

Ban C R.P. Lic